Supreme Court, U.S.
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No. 05-791

IN THE
Supreme Court of the United States

JEFFREY R. GOLIN, ELSIE Y. GOLIN, NANCY K. GOLIN
Petitioners

v.

CLIFFORD B. ALLENBY, DIRECTOR DEPARTMENT OF DEVELOPMENTAL SERVICES, STATE OF CALIFORNIA, IN HIS OFFICIAL AND INDIVIDUAL CAPACITY; H. DEAN STILES (OFFICE OF LEGAL AFFAIRS OF CALIFORNIA DEPARTMENT OF DEVELOPMENTAL SERVICES) IN HIS INDIVIDUAL AND PERSONAL CAPACITY, COUNTY OF SANTA CLARA; JAMIE BUCKMASTER (SANTA CLARA COUNTY ADULT PROTECTIVE SERVICES; JOSE VILLAREAL, MALORIE M. STREET (SANTA CLARA COUNTY OFFICE OF PUBLIC DEFENDER) EACH IN THEIR OFFICIAL, INDIVIDUAL AND PERSONAL CAPACITIES; SAN ANDREAS REGIONAL CENTER, INC. ("SARC"); SANTI J. ROGERS, MIMI KINDERLEHRER, TUCKER LISKE (SAN ANDREAS REGIONAL CENTER), EACH IN THEIR INDIVIDUAL AND PERSONAL CAPACITIES; NANCY J. JOHNSON (BERLINER COHEN); CITY OF PALO ALTO; LORI KRATZER (PALO ALTO POLICE DEPARTMENT) IN HER OFFICIAL AND INDIVIDUAL CAPACITY; EMBEE MANOR, EDNA MANTILLA IN HER INDIVIDUAL AND PERSONAL CAPACITY; AND DOES 1-50, DEFENDANTS-APPELLEES.
Respondents

On Petition for a Writ of Certiorari
To The United States Circuit Court of Appeals
for the Ninth Circuit

PETITION FOR WRIT OF CERTIORARI

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i. QUESTIONS PRESENTED

1. Whether, in light of *Exxon*, Section 1983 claims are considered "interfering with ongoing" state court proceedings under the existing *Younger* doctrine, where federal claims do not challenge differing state jurisdiction, considering the long-established system of dual federal and state jurisdiction, notwithstanding "Our Federalism" and comity?

2. Whether a state conservatorship may constitutionally confer *de facto* absolute immunity to a conservator from Section 1983(5) vindication of deprivations of constitutional rights, torts, injuries, and liabilities committed to an adult conservatee and their parents, by virtue of state granted powers of exclusive standing and representation?

3. Whether lifelong caregiving parents of developmentally disabled adult children have substantive constitutional rights in the preservation of family integrity under the First Amendment's broad right of association and the 14th Amendment's general substantive due process protections, similar to parents of minor children, in representing their children in an independent Section 1983 federal civil rights lawsuit against state actors, where a state conservator is named as a defendant?

4. Whether adult developmentally disabled children and their parents have a fundamental liberty interest in their mutual companionship and association?

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